IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.784 OF 2007

Ashok M.Chhajed ..Petitioner

Vs.

Union of India & Ors. ..Respondents

Mr.Vikram Nankani i/b.Nankani & Associates for the Petitioner.
Mr.Y.R.Mishra with Y.S.Bhate for the Respondents.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 8TH JUNE, 2007

P.C.

1. Heard the learned Counsel for the parties. By this Petition, the Petitioner is challenging the order dated 20th December,2006 whereby the Tribunal has directed the Petitioner to deposit a sum of Rs.5,00,000/- by way of pre-deposit and the Tribunal has also observed that the Petitioner has not made out any prima facie case. We have also perused the order of the Deputy Director dated 30th May,2005 wherein the involvement of the Petitioner is apparent and in fact he has admitted that in his written statement that he was working for M/s.Sunpur Private Limited and looking after post import marketing of toiletries imported by one Mr.Patwari, who was controlling the imports and was a family friend of Mr.A.Panessar. Under these circumstances, we do not find anything illegal or

erroneous in the impugned order dated 20th December,2006. In view thereof, the Petition stands dismissed.

2. Now, the learned Counsel for the Petitioner prays that the Petitioner is willing to pre-deposit the said amount of Rs.5,00,000/- within a period of four weeks from today. In view thereof, on payment of pre-deposit of Rs.5,00,000/-, the Appellate Tribunal for Foreign Exchange shall hear the Appeal strictly on its own merits in accordance with law.

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**